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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Fred Ball

Group Art Unit: 3635

Serial Number: 09/535,457

Examiner: Chi Q. Nguyen

Filed: 03/24/2000

Confirmation Number: 2374

Title: FRAMING LUMBER PRODUCTS AND METHODS

REQUEST FOR REFUND
DEPOSIT ACCOUNT NO. 23-2130

Refund Department
United States Patent and Trademark Office
Alexandria, VA 22313
Fax No. 571-273-6500

of pages: 2

Sir:

Applicant filed a Notice of Appeal in this case on June 19, 2002, paying the applicable fee due at that time of \$160.00. Applicant then filed an Appeal Brief in this case on August 19, 2002, paying the applicable fee due at that time of \$160.00. Applicant then filed a Reply Brief and Request for Oral Hearing in this case on January 3, 2003, paying the applicable fee due at that time of \$140.00. In response, the examiner issued a new, non-final Office Action dated April 9, 2003. Therefore, Applicant never received a review of this case by the Board of Appeals and Interferences.

I hereby certify that this paper or fee is being faxed to: Refund Department, United States Patent and Trademark Office, Fax No. 571-273-6500 on November 13, 2006.

Shelly Flunker
(Typed name of person faxing paper or fee)

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(Signature of person faxing paper or fee)

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After additional prosecution, Applicant again filed a Notice of Appeal in this case on May 15, 2006. Applicant explained therein that no Notice of Appeal fee was included because the fee had been previously paid (on June 19, 2002) but Applicant never received a review of this case by the Board of Appeals and Interferences, whereby no fee is now due. However, the Notice of Appeal fee of \$250.00 was charged to the Deposit Account of Applicant's attorney.

Therefore, Applicant respectfully requests that a refund of \$250.00 for the Notice of Appeal fee be credited to Deposit Account 23-2130.

Please feel free to contact me with any questions, comments, or concerns at the telephone number listed at the end of this document.

Respectfully submitted,
Fred Baij

By:


Thomas D. Wilhelm (Reg. No. 28,794)
Attorney for Applicant
November 13, 2006

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